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ENTERTAINMENT, INC.; MONTO HOLDINGS  
8 PTY. LTD.

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 IN RE: PERSONAL WEB TECHNOLOGIES,  
13 LLC ET AL., PATENT LITIGATION,  
14  
15 AMAZON.COM, INC., and AMAZON WEB  
SERVICES, INC.,  
16  
17 v. Plaintiffs  
18 PERSONALWEB TECHNOLOGIES, LLC and  
LEVEL 3 COMMUNICATIONS, LLC,  
19  
20 Defendants.  
21  
22 PERSONALWEB TECHNOLOGIES, LLC, and  
LEVEL 3 COMMUNICATIONS, LLC,  
23  
24 v. Plaintiffs,  
25  
26 TWITCH INTERACTIVE, INC.,  
27  
28 Defendant.

Case No.: 5:18-md-02834-BLF  
Case No.: 5:18-cv-00767-BLF  
Case No.: 5:18-cv-05619-BLF

**NOTICE OF UNSUCCESSFUL  
ATTEMPT BY THIRD PARTY  
BRILLIANT DIGITAL  
ENTERTAINMENT, INC. TO FILE  
DECLARATIONS UNDER SEAL PER  
11/16/2022 ORDER (DKT 803)**

FRANDZEL ROBINS BLOOM & CSATO, L.C.  
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TO THE COURT AND CLERK:

PLEASE TAKE NOTICE that pursuant to the Court’s November 16, 2022 Order (Dkt. 803) and the instructions of the Clerk received today, Third Party Brilliant Digital Entertainment, Inc. (BDE) has been attempting to file under seal the Declarations of Thomas M. Robins III, Michael Gerard Fletcher and Bruce D. Poltrock. Unfortunately, the Court’s electronic filing system refuses to allow the filings in the absent of an Administrative Motion, which LR 79-5(b) states need not be filed when the Court has already issued an order permitting the filing under seal (here, Dkt. 803) and which is contrary to the instructions given by the Clerk on how to accomplish same. BDE will attempt to file the documents under seal December 1, 2022 after further consultation with the Clerk.

Dated: November 30, 2022

FRANDZEL ROBINS BLOOM & CSATO, L.C.  
THOMAS M. ROBINS III  
MICHAEL G. FLETCHER  
BRUCE D. POLTROCK

By: /s/ THOMAS M. ROBINS III  
THOMAS M. ROBINS III  
Attorneys for Third Parties BRILLIANT  
DIGITAL ENTERTAINMENT, INC.; and  
MONTA HOLDINGS PTY. LTD.

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**PROOF OF SERVICE**

**5:18-md-02834-BLF**

I, the undersigned, declare and certify as follows:

I am over the age of eighteen years, not a party to the within action and employed in the County of Los Angeles, State of California. I am employed in the office of Frandzel Robins Bloom & Csato, L.C., members of the Bar of the above-entitled Court, and I made the service referred to below at their direction. My business address is 1000 Wilshire Boulevard, Nineteenth Floor, Los Angeles, CA 90017-2427.

On November 30, 2022, pursuant to 11/30/2022 agreement of counsel, I served true copy(ies) of the **NOTICE OF UNSUCCESSFUL ATTEMPT BY THIRD PARTY BRILLIANT DIGITAL ENTERTAINMENT, INC. TO FILE DECLARATIONS UNDER SEAL PER 11/16/2022 ORDER (DKT 803)**, the original(s) of which is(are) affixed hereto. to the party(ies) listed below.

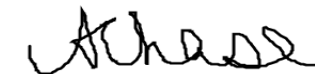
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**BY E-MAIL OR ELECTRONIC TRANSMISSION PURSUANT TO 11/30/2022 AGREEMENT OF COUNSEL:** I caused said document(s) to be transmitted by electronic mail. This service may be based on a court order or on an agreement among the parties to accept service by E-Mail. The name(s) and e-mail addresses of the person(s) served are set forth in the service list. The document was transmitted by electronic transmission and without error.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on **November 30, 2022**, at Los Angeles, California.



Annette Chase